

REMARKS

In response to the above-identified Office Action (“Action”), Applicant traverses the Examiner’s rejection of the claims and seeks reconsideration thereof. Claims 2-7 and 13-17 are pending in the present application. Claims 3, 6, 7 and 17 are rejected and claim 2 is objected to. Claims 1 and 8-12 remain cancelled and claims 4, 5 and 13-16 remain withdrawn. In this response, claim 17 is amended, no claims are added and no claims are cancelled.

I. Claim Amendments

Applicant respectfully submits herewith an amendment to claim 17. Claim 17 is amended to recite that the cover is “slidably coupled to the housing.” Support for the amendment to claim 17 may be found, for example, on page 4, paragraph [0013].

In view of the foregoing, Applicant respectfully requests consideration and entry of the amendment to claim 17.

II. Claim Rejections – 35 U.S.C. §102

In the outstanding Action, claims 6 and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,870,285 issued to Ohgoda (Ohgoda). Applicant respectfully traverses the rejection.

It is axiomatic to a finding of anticipation that each and every element of the rejected claim be found within a single prior art reference.

In regard to independent claim 17, Applicant respectfully submits Ohgoda fails to teach at least the element of “a cover slidably coupled to the housing to move between a first position concealing the photostimulatable unit and a second position revealing the photostimulatable unit while the photostimulatable unit resides within the housing” as recited in claim 17.

Ohgoda generally discloses a cassette for information recording mediums. See Ohgoda, Abstract. The cassette includes a housing having a hinged cover to allow for removal of a phosphor sheet therein. See Ohgoda, col. 4, lines 33-52. Thus, as admitted by the Examiner,

Ohgoda fails to teach a cover slidably coupled to the housing as recited in claim 17. See Action, page 4. Since Ohgoda fails to teach each and every element of claim 17, anticipation may not be established. Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 17 under 35 U.S.C. §102.

Claim 6 depends from claim 17 and incorporates the limitations thereof. Thus, for at least the reasons that claim 17 is not anticipated by Ohgoda, claim 6 is further not anticipated by the cited art. Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 6 under 35 U.S.C. §102.

III. Claim Rejections – 35 U.S.C. §103

A. In the outstanding Action, claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over Ohgoda. Applicant respectfully traverses the rejection.

To establish a *prima facie* case of obviousness, the Examiner must show the cited references, combined, teach or suggest the claimed combination of elements or identify an apparent reason to combine prior art elements in the manner claimed.

Claim 3 depends from claim 17 and incorporates the limitations thereof. Thus, for at least the reasons raised by the Examiner and discussed in regard to claim 17, Ohgoda fails to teach or suggest or provide any apparent reason for at least the element of “a cover slidably coupled to the housing to move between a first position concealing the photostimulatable unit and a second position revealing the photostimulatable unit while the photostimulatable unit resides within the housing” as further found in claim 3. Since Ohgoda fails to disclose each and every element of claim 3, a *prima facie* case of obviousness may not be established. Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 3 under 35 U.S.C. §103.

B. In the outstanding Action, claim 7 is rejected under 35 U.S.C. §103(a) as being unpatentable over Ohgoda as applied to claim 3, and further in view of U. S. Publication No. 2004/0124368 issued to Struye et al ("Struye"). Applicant respectfully traverses the rejection.

Claim 7 depends from claim 17 and incorporates the limitations thereof. For at least the reasons previously discussed, Ohgoda fails to teach or suggest or provide any apparent reason for at least the element of “a cover slidably coupled to the housing to move between a first position concealing the photostimulatable unit and a second position revealing the photostimulatable unit while the photostimulatable unit resides within the housing” as further found in claim 7. The Examiner has further not pointed to, and Applicant is unable to discern, a portion of Struye curing the deficiencies of Ohgoda with respect to this element. Since Ohgoda and Struye fail to disclose each and every element of claim 7, a *prima facie* case of obviousness may not be established. Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 7 under 35 U.S.C. §103.

IV. Allowable Subject Matter

Applicant respectfully acknowledges the Examiner’s indication that claim 2 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claim 2 depends from claim 17, which for at least the foregoing reasons, is in allowable form. Thus, for at least the reasons that claim 2 depends from an allowable base claim, claim 2 is in condition for allowance without rewriting it as proposed by the Examiner. Accordingly, Applicant respectfully requests consideration and allowance of claim 2 at the Examiner’s earliest convenience.


CONCLUSION

In view of the foregoing, it is believed that all claims now pending are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: October 24, 2007

By: 
Thomas M. Coester, Reg. No. 39,637

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
Telephone (408) 720-8300
Facsimile (408) 720-8383

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web to the United States Patent and Trademark Office on October 24, 2007.


Si Vuong